

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

KELLY J. BAIER,)	CIV. 09-5088-JLV
)	
Plaintiff,)	
)	ORDER OF DISMISSAL
vs.)	
)	
BITUMINOUS CASUALTY)	
CORPORATION,)	
)	
Defendant.)	

Pursuant to the parties' stipulation for dismissal (Docket 10), and
good cause appearing, it is hereby

ORDERED that this matter is dismissed with prejudice and without
costs to either party.

Dated February 18, 2010.

BY THE COURT:

/s/ Jeffrey L. Viken

JEFFREY L. VIKEN

UNITED STATES DISTRICT JUDGE